

BEFORE THE
Federal Communications Commission

WASHINGTON, D.C. 20554

In the Matter of)
)
Amendment of Part 90 of the)
Commission's Rules Pertaining)
to End User and Mobile)
Licensing Information)
_____)

PR Docket No. 92-78

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To: The Commission

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**COMMENTS OF THE
INTERNATIONAL MUNICIPAL SIGNAL ASSOCIATION AND
THE INTERNATIONAL ASSOCIATION OF FIRE CHIEFS, INC.**

The International Municipal Signal Association (IMSA) and the International Association of Fire Chiefs, Inc. (IAFC) (referred to collectively as IAFC/IMSA), by their attorneys, respectfully submit these comments concerning mobile licensing in response to the Federal Communications Commission's Notice of Proposed Rulemaking (NPRM) issued in the above-captioned proceeding.^{1/}

INTRODUCTION

IAFC is a voluntary professional membership society. Its more than 9,000 members, comprised of senior fire officials, are dedicated to the protection of life and property throughout the United States and abroad. IAFC is the major national

^{1/} 57 Fed. Reg. 20,069 (May 11, 1992).

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professional association representing the interests of senior fire service managers.

IMSA is a non-profit organization devoted to the development and use of electrical signalling and communications systems in the furtherance of public safety. The members of IMSA include representatives of federal, state, county, city, township and borough governmental bodies and representatives of governmental bodies from foreign nations. Organized in 1896, IMSA is the oldest organization in the world dedicated to the public safety use of radio technology.

Collectively IMSA/IAFC are recognized as the frequency coordinating committee for the Commission's Fire Radio Service, and, in conjunction with the National Association of Business and Educational Radio, Inc. constitute the recognized coordinating committee for the Special Emergency Radio Service. IAFC and IMSA regularly express their views before the Commission on issues affecting the Public Safety and Special Emergency Radio Services.

IAFC/IMSA recognize the need to reduce regulatory and economic burdens on users.^{2/} They are concerned, however, that the Commission's proposal to alleviate these burdens by eliminating the requirement that license modifications be filed with the frequency coordinator when a licensee seeks to increase its authorized number of mobiles or pagers will degrade the use

^{2/} In recognizing the need to reduce these burdens on businesses and to encourage compliance with the Commission's regulations, IMSA/IAFC revised its fee structure in 1991 and lowered its fees for minor system modifications, including changes in the number of mobile units.

of shared channels through increased congestion and will create havoc in the frequency coordination process.

COMMENTS

The Commission's NPRM seeks to modify its licensing rules as they relate to frequency coordination in several ways: by allowing licensees of all systems to file their license modifications directly with the Commission when increasing the number of mobiles or pagers, thus bypassing the coordinators; by permitting licensees on non-paging only channels to increase the number of mobile units authorized by 20% without seeking license modification; and by allowing licensees on paging only channels to increase the number of pagers operated by 35% above the number authorized without seeking license modification.

A. License Modifications Should be Required to Be Filed With The Frequency Coordinator.

IMSA/IAFC strongly oppose Commission's proposal to eliminate filing license modifications with the coordinator when a licensee seeks to increase its number of mobiles or pagers. The Commission states in its NPRM that "no coordination activity occurs when a license modification is sought strictly for an increase in a system's number of mobiles or pagers." NPRM at 6.

If this is the predicate for the Commission's proposal, the proposal is fatally flawed.^{3/} With regard to the Fire and Special Emergency Radio Services, key coordinating elements are base station location, power, antenna height, antenna radiation characteristics, and mobile unit loading. Mobile unit loading is critical both in determining whether a channel can tolerate a new or additional user as well as in determining whether, for an existing licensee, the additional mobiles will overload the requested channels and, if so, whether moving to another channel may be preferable. The importance of mobile loading explicitly is recognized in Section 90.313 of the Commission's rules which sets mobile loading limits for the 470-512 MHz band. Failure to coordinate before increasing the number of mobiles on any given channel could result in a high level of interference.

The foregoing is based on IAFC/IMSA's coordination experience. In one recent situation, a licensee had six

3/ The Commission's Report responsive to the President's January 28, 1992 regulatory evaluation request (issued June 18, 1992) cites to expediting the licensing process as a factor in this proposal. There is no analysis, however, of the time required for coordination. Neither is there any analysis, either in the Report or in the NPRM, of the effects of the loss of the service provided by the coordinators in assuring completeness and correctness of applications and thereby facilitating the licensing process. Said enhancements to application processing led the Commission to adopt the current coordination system. PR Docket No. 83-737, 103 F.C.C. 2d 1093 (1986), recon. denied, 61 Rad. Reg.2d 148 (P&F) (1986). If the Commission eliminates the frequency coordinator's role in license modifications, the Commission's workload will expand as it will spend additional time reviewing applications for correctness. As a result, the turn-around time on such applications will increase.

authorized mobiles and 150 unauthorized mobiles on one channel.^{4/} When IAFC/IMSA reviewed the loading for that channel, it appeared low enough to allow an additional licensee to operate on that channel. In reality, however, the channel experienced a high level of use, and the addition of another licensee created unacceptable interference on the channel.

Given the critical need for clear communications in the Fire and Emergency Medical Service, it is imperative that IMSA/IAFC have accurate loading information to coordinate the Fire and Special Emergency Radio Service frequencies. Accordingly, IMSA/IAFC oppose the elimination of the requirement that license modifications to increase mobile units be filed with the frequency coordinator.

B. IMSA/IAFC Supports the Proposed Benchmarks For License Modifications to Non-paging and Paging Only Channels.

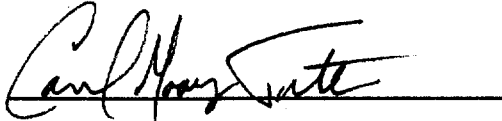
IAFC/IMSA accepts the Commission's proposal to establish benchmarks for modifying licenses on non-paging and paging-only channels. Such flexibility can be accounted for in the frequency coordination process, and the users will benefit from the reduced regulatory requirements.

^{4/} Each incremental increase of mobile units compounds the problem if the frequency coordinator is bypassed on successive modifications.

CONCLUSION

WHEREFORE, THE PREMISES CONSIDERED, The International Association of Fire Chiefs, Inc. and the International Municipal Signal Association respectfully request that the Federal Communications Commission reject the proposal to eliminate the filing of licensing modifications with the frequency coordinator but adopt the 20% and 35% leeway in mobile unit loading for filing licensing modifications.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Martin W. Bercovici", written over a horizontal line.

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